

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

ANTHONY PRYOR, *et al.*,

Plaintiffs,

v.

Case No. 2:05-CV-936

JUDGE JOHN D. HOLSCHUH

Magistrate Judge Norah McCann King

PAT HURLEY, *et al.*,

Defendants.

ORDER AND OPINION

This is an action under 42 U.S.C. § 1983 by Anthony Harper (“plaintiff”), an inmate at the Ross Correctional Institution in Chillicothe, Ohio. On August 16, 2006, United States Magistrate Judge King issued a *Report and Recommendation*, Doc. No. 32, in which she recommended that *Defendants’ Motion to Dismiss*, Doc. No. 10, filed by the defendant employees of the Ohio Department of Rehabilitation and Correction, be granted and that the *Motion to Dismiss of Defendants Abby Minnix, Deputy Clerk of Courts and Robert Vaughn, Case Management Counsel*, Doc. No. 5, be denied as moot. This matter is currently before the Court on *Plaintiff’s Objection to the Report and Recommendation*, Doc. No. 38.

In *Plaintiff’s Objection to the Report and Recommendation*, plaintiff does nothing more than reiterate the arguments previously presented to and rejected by the magistrate judge and express his disagreement with her conclusions. Pursuant to 28 U.S.C. 636(b)(1), this Court has conducted a *de novo* review of the *Report and Recommendation* and concludes that the analyses and conclusions of the Magistrate Judge are correct. Thus, for the reasons set forth in the *Report and Recommendation, Plaintiff’s Objection to the Report and Recommendation*, Doc. No. 38, is

OVERRULED. The *Report and Recommendation*, Doc. No. 32, is hereby **ADOPTED AND AFFIRMED.**

The pending motions to dismiss, Document Nos. 5, 10, are **GRANTED.**

Date: September 21, 2006

/s/ John D. Holschuh
John D. Holschuh, Judge
United States District Court